

In the Claims

1. (Withdrawn) A method for facilitating on-site distribution of copies of a sound recording of an artist's performance at a venue, the method including the steps of:
obtaining a listing from the artist of compositions the artist plans to perform at the venue;
obtaining a commitment from the artist to perform only compositions included on the listing;
obtaining advanced permission to make and distribute recordings of each composition;
paying, after the performance, a holder of copyrights in a composition a first amount corresponding to a number of recordings of the composition distributed at the venue.
2. (Withdrawn) The method of claim 1, further including the step of obtaining a commitment from the artist to contractually require a third party to provide resources for use in making the recording.
3. (Withdrawn) The method of claim 2, wherein the resources include one of personnel, equipment, and space for equipment.
4. (Withdrawn) The method of claim 2, wherein the third party is a promoter of the performance.
5. (Withdrawn) The method of claim 1, further including the step of negotiating with the artist to determine a payment to the artist for each recording distributed.
6. (Withdrawn) The method of claim 1, further including the step of obtaining a commitment from the artist to require representatives of the artist to assist in creating the recordings.

7. (Withdrawn) The method of claim 1, further including the step of obtaining a commitment from the artist to announce the availability of the recordings during the performance.

8. (Withdrawn) The method of claim 1, further including the step of obtaining permission from the artist to use one of trademarked and copyrighted material owned by the artist.

9. (Withdrawn) The method of claim 1, further including the step of negotiating with an operator of the venue to obtain rights to distribute the recordings at the venue.

10. (Withdrawn) The method of claim 1, further including the step of negotiating with unionized personnel associated with the venue to obtain assistance from the personnel in creating the recordings.

11. (Withdrawn) The method of claim 1, further including the step of engaging a mechanical license clearinghouse organization to obtain the listing and to obtain the advanced permission.

12. (Withdrawn) The method of claim 1, wherein the obtaining advanced permission step includes the step of identifying cover songs included in the listing and obtaining an estimate of the time duration of each composition on the listing.

13. (Withdrawn) The method of claim 12, further including the step of obtaining commitments from the artist that the artist will not alter the fundamental character of any cover song, and that the artist will not seek copyright protection of any cover song as a derivative work.

14. (Withdrawn) The method of claim 1, wherein the obtaining advanced permission step includes the step of sending a request for permission to a mechanical licensing agent.

15. (Withdrawn) The method of claim 14, further including the step of serving a notice of intent letter on one of a copyright owner and a representative who has not authorized the mechanical licensing agent to grant permission to record and distribute a composition.

16. (Withdrawn) The method of claim 1, wherein the step of obtaining advanced permission includes the step of serving a notice of intent letter.

17. (Withdrawn) The method of claim 15, wherein the letter includes a name of an entity that will make the recordings, a name of an author of a composition, and a name of the artist.

18. (Withdrawn) The method of claim 1, further including the step of determining an estimated number of attendees of the performance in advance of the performance.

19. (Withdrawn) The method of claim 18, further including the step of preparing packaging materials for the recordings in a quantity that relates to the estimated number of attendees.

20. (Withdrawn) The method of claim 19, wherein the step of preparing packaging includes the steps of determining a packaging configuration and creating artist-specific materials for use with the packaging configuration.

21. (Withdrawn) The method of claim 20, wherein the step of preparing packaging further includes the step of creating event-specific materials for use with the packaging configuration.

22. (Withdrawn) The method of claim 19, wherein the packaging materials include a bar code.

23. (Withdrawn) The method of claim 1, further including the step of selling recordings before the performance.

24. (Withdrawn) The method of claim 23, wherein the step of selling recordings includes the step of preparing order tickets to distribute to purchasers of the recordings in exchange for a payment.

25. (Withdrawn) The method of claim 23, wherein the step of selling recordings includes the step of carrying a wireless credit card device to a location of attendees.

26. (Withdrawn) The method of claim 23, wherein the step of selling recordings includes the step of receiving orders for recordings before a day of the performance.

27. (Withdrawn) The method of claim 23, wherein the step of selling recordings includes the step of offering a purchaser of a ticket to the performance an opportunity to purchase a recording with the ticket purchase.

28. (Withdrawn) The method of claim 27, wherein the step of selling recordings further includes the step of including an indicator on the ticket to indicate a purchase of a recording.

29. (Withdrawn) The method of claim 23, further including the step of determining a quantity of recordings to produce based on a quantity of recordings sold before the performance.

30. (Withdrawn) The method of claim 29, wherein the step of determining a quantity of recordings to produce includes the step of estimating a demand for recordings by purchasers who did not purchase a recording before the performance.

31. (Withdrawn) The method of claim 1, further including the steps of planning for installation of equipment and materials for carrying out the method at the venue and installing the equipment and materials.

32. (Withdrawn) The method of claim 31, wherein the planning step includes the steps of identifying a location for an input processor, identifying a location for a computing device, identifying a location for a master recorder, identifying a location for a duplicator, and identifying a location for point-of-sale materials.

33. (Withdrawn) The method of claim 32, wherein the planning step further includes the steps of identifying a first route between the master recorder location and the duplicator location, and identifying a second route between the duplicator location and the location of the point-of-sale materials.

34. (Withdrawn) The method of claim 32, wherein the input processor location is within a vehicle.

35. (Withdrawn) The method of claim 1, further including the step of making the recordings.

36. (Withdrawn) The method of claim 35, wherein each recording includes a plurality of CDs, one CD of each plurality of CDs including content representing a beginning of the performance and another CD of each plurality of CDs including content representing an ending of the performance.

37. (Withdrawn) The method of claim 36, wherein the content of the other CD is shorter in duration than the content of the one CD.

38. (Withdrawn) The method of claim 35, wherein the making step includes the steps of creating a raw event file on a hard drive, and dividing the raw event file into segment files, each segment file including a song performed during the performance.

39. (Withdrawn) The method of claim 38, wherein one of the segment files includes a plurality of songs performed during the performance.

40. (Withdrawn) The method of claim 38, wherein the making step further includes the step of copying the segment files onto a master CD.

41. (Withdrawn) The method of claim 38, wherein the making step further includes the step of simultaneously copying the segment files onto a plurality of master CDs.

42. (Withdrawn) The method of claim 38, wherein the making step further includes the step of copying the segment files from the hard drive onto a plurality of final CDs.

43. (Withdrawn) The method of claim 42, wherein the step of copying the segment files includes the step of transmitting the segment files over a network.

44. (Withdrawn) The method of claim 38, further including the step of burning titles of the songs onto the recordings.

45. (Withdrawn) The method of claim 35, wherein the creating step further includes the steps of creating a master copy of the performance and hand-carrying the master copy to a duplicator configured to create a plurality of final copies.

46. (Withdrawn) The method of claim 35, further including the steps of creating a listing of segments performed during the performance and including the listing with the recordings.

47. (Withdrawn) The method of claim 1, further including the step of distributing the recordings after a day of the performance.

48. (Withdrawn) The method of claim 47, further including the step of paying the holder of copyrights a second amount corresponding to a number of recordings of the composition distributed after the day of the performance.

49. (Withdrawn) The method of claim 47, wherein the distributing step includes the step of processing one of an on-line order for a recording, a telephone order for a recording, a mail order for a recording, and an order for a recording at a subsequent performance by the artist.

50. (Withdrawn) The method of claim 1, wherein the paying step includes the step of computing a royalty by determining the time duration of the composition.

51. (Withdrawn) The method of claim 1, further including the step of providing, during the performance, a streaming audio signal of the performance.

52. (Withdrawn) A method for distributing copies of a recording of an artist's performance at a venue, the method including the steps of:

obtaining, before the performance, a compulsory license to a composition to be performed at the venue;

recording the composition;

distributing copies of the recorded composition at the venue; and paying, after the performance, a royalty under the compulsory license.

53. (Withdrawn) The method of claim 51, further including the step of obtaining agreement of a promoter to contractually require the venue to provide resources for use in making the copies.

54. (Withdrawn) The method of claim 51, further including the step of negotiating with an operator of the venue to obtain rights to distribute the copies at the venue.

55. (Withdrawn) The method of claim 51, wherein the obtaining a compulsory license step includes the step of identifying the composition as a cover song.

56. (Withdrawn) The method of claim 51, further including the step of obtaining a listing from the artist of compositions the artist intends to perform at the venue.

57. (Withdrawn) The method of claim 51, wherein the step of obtaining a compulsory license includes the step of serving a notice of intent letter on a holder of copyrights in the composition.

58. (Withdrawn) The method of claim 51, further including the step of receiving money for copies of the recorded composition before completing the recording step.

59. (Withdrawn) The method of claim 57, further including the step of offering a purchaser of a ticket to the performance an opportunity to purchase a copy of the recorded composition with the ticket purchase.

60. (Withdrawn) The method of claim 51, wherein the paying step includes the step of computing the royalty by determining the time duration of the composition.

61. (Withdrawn) A method for creating CDs embodying recordings of an artist's performance at a venue and distributing the CDs to attendees before the attendees leave the venue, the method including the steps of:

processing an original audio signal of the performance to create a processed audio signal of the performance;

using a master recorder to copy the processed audio signal onto a master CD at a master recorder site;

transporting the master CD from the master recorder site to a duplicator at a duplication site;

using the duplicator to copy the master CD onto a plurality of final CDs;

transporting the plurality of final CDs from the duplication site to a point-of-sale site;

and

distributing the plurality of final CDs to the attendees.

62. (Withdrawn) The method of claim 60, further including the step of obtaining a listing from the artist of compositions the artist plans to perform at the venue.

63. (Withdrawn) The method of claim 61, further including the step of obtaining advanced permission from a holder of copyrights in each composition on the listing to make and distribute the final CDs.

64. (Withdrawn) The method of claim 62, further including the step of paying the copyright holders, after the performance, a first amount corresponding to a number of final CDs distributed at the venue.

65. (Withdrawn) The method of claim 60, further including the step of negotiating with an operator of the venue to obtain rights to distribute the final CDs at the venue.

66. (Withdrawn) The method of claim 62, wherein the obtaining advanced permission step includes the step of identifying cover songs included in the listing.

67. (Withdrawn) The method of claim 62, wherein the obtaining advanced permission step includes the step of serving a notice of intent letter on a holder of copyrights in a composition.

68. (Withdrawn) The method of claim 62, wherein the obtaining advanced permission step includes the step of sending a request to a mechanical licensing agent for permission to make and distribute the final CDs sufficiently in advance of the performance that the mechanical licensing agent may respond to the request before the performance.

69. (Withdrawn) The method of claim 67, further including the step of serving a notice of intent letter on a holder of copyrights in a composition who has not authorized the mechanical licensing agent to grant permission on behalf of the copyright holder.

70. (Withdrawn) The method of claim 60, further including the steps of creating a raw event file on a hard drive, and dividing the raw event file into segment files, each segment file representing a song performed during the performance.

71. (Withdrawn) The method of claim 60, wherein the step of using a master recorder includes the step of simultaneously copying a plurality of segment files onto a plurality of master CDs.

72. (Original) An apparatus for recording a performance at a venue and distributing copies of the recording at the venue to attendees, including:

an input processor configured for coupling to a front of house console to receive an original audio signal representing an audio component of the performance, the input processor outputting a processed audio signal; and

a computing device coupled to the input processor having a hard drive, the computing device being configured to store the processed audio signal in a raw event file on the hard drive as the performance is occurring, the computing device being further configured to create segment files on the hard drive as the raw event file is being created, each segment file including a song performed during the performance.

73. (Original) The apparatus of claim 71, further including a backup recorder coupled to the input processor, the backup recorder including a hard drive for storing a copy of the processed audio signal.

74. (Original) The apparatus of claim 71, wherein the input processor includes a mixer configured to mix a plurality of channels included in the original audio signal.

75. (Original) The apparatus of claim 71, wherein the input processor includes an A/D converter configured to convert the original audio signal from an analog form to a digital form.

76. (Original) The apparatus of claim 71, wherein the input processor includes an equalizer configured to adjust levels of components of the original audio signal.

77. (Original) The apparatus of claim 71, wherein the computing device is configured to receive a break input indicating a transition between one song of the performance and another song of the performance, the computing device creating a segment file in response to receipt of the break input.

78. (Original) The apparatus of claim 76, wherein the break input is provided by an operator of the computing device.

79. (Original) The apparatus of claim 76, wherein the break input is provided by audio sensing equipment configured to detect a transition between the one song and the other song.

80. (Original) The apparatus of claim 71, wherein the computing device includes editing software to enable editing of content of segment files.

81. (Original) The apparatus of claim 71, further including a master recorder coupled to the computing device, the master recorder including a hard drive for storing segment files created by the computing device.

82. (Original) The apparatus of claim 80, wherein the master recorder further includes a media receptacle for receiving a master media, the master recorder being configured to copy the segment files stored on the master recorder hard drive onto the master media.

83. (Original) The apparatus of claim 81, wherein the master media is a compact disc.

84. (Original) The apparatus of claim 80, wherein the master recorder further includes a plurality of media receptacles for receiving a plurality of master media, the master recorder being configured to simultaneously copy the segment files stored on the master recorder hard drive onto the plurality of master media.

85. (Original) The apparatus of claim 81, further including a duplicator configured to copy the segment files stored on the master recorder hard drive onto a plurality of final media.

86. (Original) The apparatus of claim 83, further including a plurality of duplicators each having a master media receptacle for receiving one of the plurality of master media, and a plurality of additional media receptacles for receiving a plurality of final media, each duplicator being configured to simultaneously copy the one master media onto the plurality of final media.

87. (Original) The apparatus of claim 83, further including a plurality of duplicators each having a plurality of media receptacles for receiving a plurality of final media, the plurality of duplicators being configured to simultaneously copy one of the plurality of master media onto the plurality of final media.

88. (Original) The apparatus of claim 84, wherein the duplicator is mounted within a vehicle.

89. (Original) The apparatus of claim 71, wherein the computing device is coupled to the input processor via a network.

90. (Original) The apparatus of claim 88, wherein the network is the internet.

91. (Original) The apparatus of claim 88, wherein the network is wireless.

92. (Original) The apparatus of claim 88, wherein the computing device is configured to format each segment file for downloading via the network.

93. (Original) The apparatus of claim 88, wherein the computing device includes a server that operates a website on the network.

94. (Original) The apparatus of claim 91, wherein the computing device is configured to format each segment file in MP3 format for downloading by a personal computing device operated by an attendee at the venue.

95. (Original) The apparatus of claim 88, wherein the computing device is configured to process payments in exchange for information with which an attendee may download a copy of the recording while attending the performance.

96. (Original) The apparatus of claim 94, wherein the information includes an account number and password.

97. (Original) The apparatus of claim 91, wherein the formatted segment files are encrypted to inhibit unauthorized downloading of the formatted segment files.

98. (Original) An apparatus for creating recorded copies of a performance at a venue for distribution at the venue when the performance is over, including:
an input processor configured to receive an original audio signal from a front of house console, the input processor outputting a processed audio signal;
a master recorder directly coupled to the input processor, the master recorder being configured to copy the processed audio signal onto a master CD; and
a duplicator configured to simultaneously copy the master CD onto a plurality of final CDs for distribution.

99. (Original) The apparatus of claim 97, wherein the master recorder is configured to receive break inputs that define transitions between songs included in the performance.

100. (Original) The apparatus of claim 97, wherein the master recorder includes a storage device for storing segments of the processed audio signal in segment files which are copied onto the master CD.